

# COUNTY OF YORK

## MEMORANDUM

**DATE:** February 3, 2004 (BOS Mtg. 2/17/04)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator

**SUBJECT:** Application No. UP-629-04, Osprey Development Company

### ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-306 (category 1, number 9(b)) of the York County Zoning Ordinance, to authorize the establishment of a senior housing independent living facility on a 5.46-acre portion of a 6.46-acre parcel located on the west side of Commons Way (Route 690) approximately 1000 feet south of its intersection with Bypass Road (Route 60). The property is further identified as Assessor's Parcel No. 9-9-2.

### DESCRIPTION

- Property Owner: Robert S. Hornsby, Hornsby Land Company (applicant is contract purchaser)
- Location: 222 Commons Way (Route 690) approximately 1000 feet south of its intersection with Bypass Road (Route 60)
- Area: 5.46-acre portion of a 6.46-acre parcel
- Frontage: Approximately 165 feet on Commons Way
- Utilities: Public water and sewer
- Topography: Flat
- 2015 Land Use Map Designation: General Business
- Zoning Classification: GB – General Business
- Existing Development: None
- Surrounding Development:

North: Cracker Barrel Restaurant, Travel Inn hotel

East: Fort Eustis Credit Union, Williamsburg Commons development and Sleep Inn hotel across Commons Way

South and West: CSX Railroad, Single-family residential development, Chesapeake Bank across railroad (City of Williamsburg)

- Proposed Development: 100-unit senior housing independent living facility

### **CONSIDERATIONS/CONCLUSIONS**

1. In June of last year, the Board of Supervisors amended the York County Zoning Ordinance to establish definitions, district designations, and performance standards applicable to various types of senior housing. The Zoning Ordinance defines an independent living facility as "A building or series of buildings containing independent dwelling units intended to provide housing for older persons not requiring health or other services offered through a central management structure/source. The facility may include ownership or rental units and must be subject to appropriate covenants, conditions, management policies or other procedures to ensure that the facility provides only housing for older persons, as defined above (housing intended for, and solely occupied by, at least one person sixty-two (62) years of age or older)."
2. The proposed development would be an approximately 121,270-square foot four-floor building containing 100 dwelling units, including a mix of one-and two-bedroom apartment-type units. The facility would also include one hospitality suite for short-term guests. Common amenities for residents would include a dining/multi-purpose room, library, theater, exercise area, computer room, beauty salon and a small retail store. The proposed gross development density of 18.3 units per acre is within the guidelines of the Zoning Ordinance, which allow densities of up to 20 units per acre for senior housing developments. An entrance on Commons Way would provide access to the development. The applicant proposes a pedestrian connection to the adjacent Cracker Barrel restaurant from the northern corner of the site. Additionally, I am recommending a sidewalk connecting the parking area to Commons Way and a 5-foot concrete sidewalk along the applicant's road frontage connecting to the adjacent bank driveway. An approval condition addresses construction of these facilities. The property owner plans to subdivide the property into two parcels, leaving a remaining parcel of approximately 0.9 acre for future commercial development (not part of this application).
3. The development would be buffered from surrounding development by a 50' perimeter landscaped buffer surrounding the entire complex, required pursuant to Section 24.1-411(e) of the Zoning Ordinance and shown on the applicant's conceptual plan. I am recommending an approval condition requiring landscaping equivalent to a Type 50 transitional buffer along the rear (southwest) property boundary to afford screening and buffering from the abutting railroad tracks and to benefit the single-family dwellings beyond the tracks. The proposed development would be surrounded by a mix of commercial and residential development, including the Williamsburg Commons residential development, a bank and hotel to the east, a restaurant and hotel to the north, and a railroad, bank and single-family residential development to the south and west (within the City of Williamsburg). A senior housing apartment complex would be compatible with the mix of multi- and single-family residential uses, while the adjacent bank and restaurants would be easily accessible to residents.

4. Zoning Ordinance standards for senior housing emphasize compatibility of proposed facilities with surrounding properties, which would include attention to architectural design. Initial elevations submitted by the applicant indicated predominantly brick facades on the front of the building, with siding for the rear façade. The four-story building will be quite visible from Lafayette Street, which parallels the rear boundary of the property beyond the railroad. Following a request by staff and submission of comments by the City of Williamsburg to include additional brick on the rear façade, the applicant submitted the current elevation that includes a mix of brick and siding for the rear face of the building. I feel this mixed façade treatment will be compatible with surrounding residential and commercial buildings, which have a variety of brick, stucco and siding exteriors.
5. The subject parcel is designated for General Business development in the Comprehensive Plan, where it is considered a part of the Bypass Road commercial corridor. The abutting parcel to the east is designated for multi-family residential development in recognition of the existing Williamsburg Commons development. The Housing element of the Comprehensive Plan notes the need for senior housing to accommodate the County's aging population, stating that "(m)any older Americans are physically able to remain in homes where they have lived for many years, but those with limited retirement income and diminishing strength often have difficulty coping with housing expenses and household demands. Townhouses, duplexes, and condominiums help to meet the needs of these residents. While some older people welcome the new lifestyle that such units offer, and some need special nursing care, most are capable of leading independent lives with limited support services." The proposed development would help to address this growing need. Since adoption of the Comprehensive Plan, one congregate care facility of 118 units has been approved at the intersection of Fort Eustis Boulevard and Route 17.
6. Senior housing typically generates significantly less traffic per unit than does housing that is not age-restricted. Based on trip generation rates for "Retirement Communities" and "Elderly Housing – Attached" published in the Institute of Transportation Engineers' (ITE) Trip Generation manual (6<sup>th</sup> edition), staff estimates that the proposed development would generate approximately 350 trips per weekday, on average, including 17 trips in the AM peak hour and 27 trips in the PM peak hour. This is well below the threshold for requiring a traffic impact analysis (1,000 trips per day or 100 peak-hour trips). Furthermore, it is much less traffic than would be generated by a motel, restaurant, office building or other retail development of comparable size, all of which would be permitted as a matter of right under the existing zoning. For example, a 100-room motel operating at 50% occupancy would be expected to generate an average of 456 trips per weekday.
7. Whereas commercial development typically generates tax revenues that exceed the cost of public services they require, residential development is generally considered to have a negative fiscal impact. Therefore, it is important to examine the revenue and service impacts of any proposed residential use in a commercial zoning district. The applicant estimates the land and construction cost associated with the development to be approximately \$8.3 million, and that at build-out the development will yield

\$197,900 in annual tax revenue (real estate, property, retail sales and business license taxes). According to the applicant, of this revenue, an estimated \$66,600 in annual real property tax revenue would be generated. By comparison, a typical Class B office building of equal size would likely generate an estimated \$35,000-\$40,000 in annual real property tax revenue. In addition, the applicant estimates the project will generate approximate \$74,600 in personal property tax revenue. The remaining \$56,700 in projected annual revenue would be generated by expected retail and restaurant expenditures made by residents of the development as well as miscellaneous fees/etc., some of which may accrue to York County and some of which may accrue to other localities in the area/region. Annual County expenditures, including fire and emergency medical services, recreation, and public works services, are estimated at \$121,100, resulting in an estimated net positive annual fiscal impact of approximately \$20,000 when considering just those revenues accruing specifically to York County. With regard to public services, developers of age-restricted housing estimate low service impacts of such housing, particularly with regard to schools.

8. The Department of Fire and Life Safety has indicated the development will be required to meet minimum applicable building and fire prevention codes. A fire lane of sufficient width to accommodate fire and other emergency vehicles would be required to provide access to all sides of the building. An 18-foot grassed fire lane is shown on the applicant's landscape plan. A proposed approval condition addresses this issue.
9. Proposed indoor recreational amenities include an exercise room, theater, library and billiards room, arts and crafts room and a computer room. Outdoor facilities include a walking trail surrounding the building, victory gardens and a gazebo. The proposed plan meets minimum Zoning Ordinance requirements for elderly housing recreation facilities.
10. The subject parcel was previously used for a fuel oil storage and distribution center (Miller Oil Company). With the exception of an empty aboveground storage tank, all facilities and materials associated with the use have been removed from the site. Prior to issuance of any building permits, a completed Phase II Environmental Site Assessment will need to be submitted to the County. This study will verify that no hazardous substances have been deposited on the property as a result of the prior oil storage use and ensure safe remediation of the site if required by the Virginia Department of Environmental Quality. A proposed approval condition addresses this concern.

#### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its regular meeting on January 14, 2004 and, subsequent to conducting a public hearing at which no one spoke other than the applicant, voted 7:0 to recommend approval. The Commission amended approval condition No. 5 to require lighting for the pedestrian path connecting the proposed facility to the Cracker Barrel parking lot.

## **RECOMMENDATION**

The Zoning Ordinance establishes 62 years as the minimum resident age threshold for age-restricted senior housing. According to the U.S. Census, there were 6,484 York County residents who were at least 62 years old in 2000. This age group, which currently constitutes 11.5% of the population, will grow significantly in the years ahead as life expectancy increases and the “baby boom” generation, the youngest members of which will turn 62 in 2008, reaches their senior years. York County’s housing stock does not specifically address the special housing needs of this growing sector of the population. The Comprehensive Plan recognizes this need, and the Commission and the Board of Supervisors recognized this need in recent months when they reviewed and approved Zoning Ordinance text amendments for senior housing. The proposed senior housing independent living facility would be compatible with surrounding development and, although it would be a primarily residential development in an area that the Comprehensive Plan designates for commercial development, it has the advantages of a positive fiscal impact and relatively low traffic generation. The parcel would have limited viability for commercial use due to its low visibility from Bypass Road and low traffic volumes. Therefore, based on the considerations and conclusions as noted, I recommend that the Board approve this application. This may be accomplished through the adoption of proposed Resolution No. R04-28.

Carter/3337:AMP

### Attachments

- Excerpts from Planning Commission minutes, January 14, 2004
- Zoning Map
- Conceptual Master Plan
- Conceptual Landscape Plan
- Architectural Renderings
- Proposed Resolution No. R04-28